



Dep & Ref
Room # 307

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

GABERT

Atty. Ref.: 1721-21

Serial No. 09/530,363

TC/A.U.: 1637

Filed: May 1, 2000

Examiner: STRZELECKA

For: METHODS FOR DIAGNOSING IN VITRO PATHOLOGIES
ASSOCIATED WITH GENE REARRANGEMENTS AND
DIAGNOSIS KITS

* * * * *

February 8, 2005

Mail Stop 16

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

REQUEST FOR REFUND

It is respectfully requested that the two month extension fee of \$430.00 paid with the Amendment After Final Rejection filed December 8, 2004 be refunded to the undersigned. When the noted Amendment was filed, the undersigned inadvertently paid the two month extension fee of \$430, when in fact the extension fee was not necessary since a Notice of Appeal and one month extension fee and extension petition were filed on October 8, 2004, extending the due date for responding to the Office Action of June 8, 2004 to December 8, 2004. A copy of the Amendment Cover Sheet and date-stamped postcard filed December 8, 2004 along with the Notice of Appeal Cover Sheet and date-stamped postcard filed October 8, 2004 are attached.

Best Available Copy

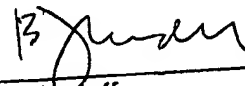
GABERT
Serial No. 09/530,363

Accordingly, in view of the above and attached, the \$430.00 extension fee paid by the undersigned on December 8, 2004 is believed to be in error and a refund of the noted amount is requested.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____


B. J. Sadoff
Reg. No. 36,663

BJS:pp
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100

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Serial No.: 09/530,363

Inventor/s: GABERT

Title: METHODS FOR DIAGNOSING IN VITRO
PATHOLOGIES ASSOCIATED WITH GENE
REARRANGEMENTS AND DIAGNOSIS KITS

C#/M#: 1721-21

Atty: B. J. Sadoff

Date: 10/8/2004

XX Notice of Appeal/Extension of Time

XX Correspondence Address Indication Form

\$ Fee (Check) - Pre-Bill

\$450.00 Fee (Check) - Non Pre-Bill

\$ 450.00 Total Fee Enclosed

Other:



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Before the Board of Patent Appeals and Interferences

In re Patent Application of

GABERT

Serial No. 09/530,363

Filed: May 1, 2000

Title: METHODS FOR DIAGNOSING IN VITRO PATHOLOGIES ASSOCIATED WITH
GENE REARRANGEMENTS AND DIAGNOSIS KITS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



Atty Dkt.: 1721-21
C# M#

TC/A.U.: 1637

Examiner: SPIEGLER

Date: October 8, 2004

COPY

Sir:

☒ Correspondence Address Indication Form Attached.

☒ **NOTICE OF APPEAL**

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the Examiner twice/finally rejecting applicant's claim(s). (\$ 340.00) \$ 340.00

☐ An appeal **BRIEF** is attached in triplicate in the pending appeal of the above-identified application (\$ 340.00) \$

☐ Credit for fees paid in prior appeal without decision on merits -\$ ()

☐ A reply brief is attached in triplicate under Rule 193(b) (no fee)

☒ Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$430.00/2 months; \$980.00/3 months; \$1530.00/4 months) \$ 110.00
SUBTOTAL \$ 450.00

☐ Applicant claims "Small entity" status, enter 1/2 of subtotal and subtract
☐ "Small entity" statement attached. SUBTOTAL \$ 450.00

Less month extension previously paid on -\$ (0.00)

TOTAL FEE ENCLOSED \$ 450.00

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**. A duplicate copy of this sheet is attached.

1100 North Glebe Road, 8th Floor
Arlington, Virginia 22201-4714
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BJS:

NIXON & VANDERHYE P.C.
By Atty: B. J. Sadoff, Reg. No. 36,663

Signature: 

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RESPONSE UNDER RULE 116
EXPEDITED HANDLING PROCEDURES

In re Patent Application of

Atty Dkt. 1721-21
C# M#

GABERT

TC/A.U. 1637

Serial No. 09/530,363

Examiner: SPIEGLER

Filed: May 1, 2000

Date: December 8, 2004

Title: METHODS FOR DIAGNOSING IN VITRO PATHOLOGIES ASSOCIATED WITH
GENE REARRANGEMENTS AND DIAGNOSIS KITS

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Mail Stop AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE/AMENDMENT/LETTER

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☐ Correspondence Address Indication Form Attached.

Fees are attached as calculated below:

Total effective claims after amendment	18	minus highest number			
previously paid for	20	(at least 20) =	0	x	\$ 18.00
					\$ 0.00

Independent claims after amendment	2	minus highest number			
previously paid for	3	(at least 3) =	0	x	\$ 88.00
					\$ 0.00

If proper multiple dependent claims now added for first time, add \$300.00 (ignore improper) \$ 0.00

Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$430.00/2 months; \$980.00/3 months) \$ 430.00

Terminal disclaimer enclosed, add \$ 110.00 \$ 0.00

☐ First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$790.00) \$ 0.00

☐ Please enter the previously unentered, filed

☐ Submission attached

Subtotal \$ 430.00

If "small entity," then enter half (1/2) of subtotal and subtract \$ 0.00

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee (\$180.00) \$ 0.00

Assignment Recording Fee (\$40.00) \$ 0.00

Other: 0.00

TOTAL FEE ENCLOSED \$ 430.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYTE P.C.
By Atty: B. J. Sadoff, Reg. No. 36873

Signature: 

2/09/2004 ZJUHAR1 00000016 141140 09530363
1 FC:1252 20.00 DA 430.00 OP

Adjustment date: 03/28/2005 SDINERAI
12/09/2004 ZJUHAR1 00000016 141140 09530363
01 FC:1252 20.00 DA -430.00 OP

Repln. Ref: 03/28/2005 SDIRETAL 000952180
DAH:141140 Name/Number:09530363
FC: 9204

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